

SUBTITLE 2. ORGANIZATIONAL INSIGNIA.

19-201. "ORGANIZATION" DEFINED.

IN THIS SUBTITLE, "ORGANIZATION" MEANS AN INCORPORATED OR UNINCORPORATED SOCIETY, ASSOCIATION, ORGANIZATION, LODGE, ORDER, FRATERNAL SOCIETY, BENEFICIAL ASSOCIATION, FRATERNAL AND BENEFICIAL SOCIETY OR ASSOCIATION, HISTORICAL, MILITARY, OR VETERANS' ORGANIZATION, LABOR UNION, FOUNDATION, FEDERATION, DEGREE, BRANCH, SUBORDINATE LODGE, OR AUXILIARY.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also enacted this section, which is new language added to avoid repetition of the phrase "incorporated or unincorporated society, association, organization, lodge, order, fraternal society, beneficial association, fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, degree, branch, subordinate lodge, or auxiliary".

19-202. REGISTRATION OF NAME OR INSIGNIA.

(A) IN GENERAL.

(1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN ORGANIZATION MAY REGISTER WITH THE SECRETARY OF STATE A FACSIMILE, DUPLICATE, OR DESCRIPTION OF ITS NAME OR INSIGNIA, INCLUDING A BADGE, MOTTO, BUTTON, DECORATION, CHARM, EMBLEM, OR ROSETTE IF THE PRINCIPLES AND ACTIVITIES OF THE ORGANIZATION ARE NOT REPUGNANT TO THE CONSTITUTION AND LAWS OF THE UNITED STATES OR THIS STATE.

(2) AN ORGANIZATION THAT REGISTERS A NAME OR INSIGNIA UNDER THIS SUBSECTION MAY CHANGE OR CANCEL THE REGISTRATION BY REREGISTRATION.

(B) EXCEPTIONS.

THE SECRETARY OF STATE MAY NOT REGISTER A NAME OR INSIGNIA OF AN ORGANIZATION IF THE NAME OR INSIGNIA IS SIMILAR TO, IMITATES, OR SO NEARLY RESEMBLES ANOTHER NAME OR INSIGNIA REGISTERED UNDER THIS SECTION AS TO BE LIKELY TO DECEIVE.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this section, which is new language derived without substantive change from former Art. 27, §§ 184 and 187.

In subsection (a)(1) of this section, the reference to registration "[e]xcept as provided in subsection (b) of this section" is added for clarity and consistency.

Also in subsection (a)(1) of this section, the reference to registering "with" the Secretary of State is substituted for the former reference to registering "in the office of" the Secretary of State for brevity and consistency within the Business Regulation Article.